

REMARKS

Claims 1-25 and 27-39 have been examined. Claims 27-29 and 34 have been rejected under 35 U.S.C. § 112, second paragraph, and claims 30 and 35 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has allowed claims 1-25, 31-33, and 36-39.

I. Rejection under 35 U.S.C. § 112

The Examiner rejected Claims 27-29 and 34 under 35 U.S.C. § 112, second paragraph, as being indefinite because they depend upon cancelled claim 26. Applicant has amended Claims 27-29 and 34 so that they do not depend upon claim 26. Since such amendments incorporate the limitation of base Claim 26 into Claims 27-29 and 34, they do not change the scope of the claims.

II. Rejection under 35 U.S.C. § 103(a)

The Examiner rejected Claims 30 and 35 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,731,823 (hereafter referenced as '823) to Miller, in view of U.S. Patent No. 4,189,775 to Inouye et al. (hereafter referenced as '775). Applicant respectfully traverses this rejection for at least the following reasons.

a. Claim 30

Claim 30 states that an upper apparatus outputs high-resolution raster data for a first image element included in a print image and low-resolution raster data for which halftoning has been processed for a second image element included in the print image. On the other hand, '823 and '775 (alone or in combination) do not suggest the claimed feature.

'823 does include a great deal of detail about the rasterization and halftoning processes shown in Figs. 3A and 3B (col. 5, lines 44-56 and cols. 6-9). However, there is simply no suggestion in '823 that an apparatus outputs high resolution raster data for a first image element and outputs low resolution raster data (for which halftoning has been processed) for a second image element. In fact, the Examiner acknowledges that '823 does not teach the above feature. (Office Action, page 3.) Also, Applicant respectfully disagrees with the Examiner's assertion on page 4 of the Office Action that one of ordinary skill in the art might output such high- and low-resolution raster data in the claimed manner because it would reduce processing time. Instead, the Examiner seems to be impermissibly applying hindsight to the prior art by way of this rejection.

In addition, there is no motivation to combine '823 and '775. '823 is drawn to a method of optimizing parameters for a hardcopy output printing device. '775 instead falls into the unrelated field of filtering radiation beams obtained by a computed tomography device. Certainly one of ordinary skill in the printing art would not look to a device for filtering radiation beams in the medical field when trying to optimize low- and high-resolution raster data for a printer. Accordingly, for at least the above reasons, Applicant respectfully requests that the Examiner withdraw the rejection of Claim 30 under 35 U.S.C. § 103(a).

b. Claim 35

Claim 35 is dependent upon Claim 30, and Applicant submits that Claim 35 is patentable at least by virtue of that dependency.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln. No. 09/206,971

III. Allowable Subject Matter

The Examiner indicates that Claims 1-25, 31-33, 36-39 have been allowed.

IV. Newly added claims

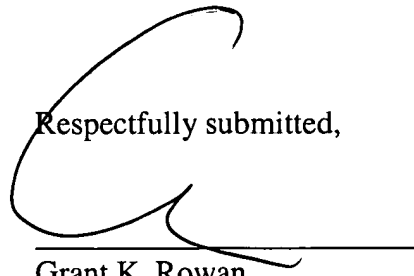
Applicants have added new claims 40-43 to obtain more varied protection for the invention.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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